



April 23, 2009

RECEIVED

APR 24 2009

**Via Overnight Mail**

BUREAU OF AIR REGULATION

Mr. Jeff Koerner, P.E.  
Bureau of Air Regulation  
Division of Air Resource Management  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite 4  
Tallahassee, FL 32301-2956

Re: Crystal River Power Plant – Permit Number 0170004-022-AC  
Affidavit of Publication

Dear Mr. Koerner:

In accordance with Ms. Trina Vielhauer's letter to Mr. Hatcher dated April 9, 2009, we published the public notice in the Citrus County Chronicle on April 21, 2009.

Attached is the Affidavit of Publication.

If you have any questions, please contact me at (727) 820-5295. Thank you very much for all your help with the construction permit.

Best Regards,

A handwritten signature in cursive script that reads 'Dave Meyer'.

Dave Meyer, P.E.  
Senior Environmental Specialist

cc: Larry Hatcher

Attachment

# Proof of Publication

from the  
**CITRUS COUNTY CHRONICLE**  
Crystal River, Citrus County, Florida  
**PUBLISHED DAILY**

STATE OF FLORIDA  
COUNTY OF CITRUS

Before the undersigned authority personally appeared

Mary Ann Naczi

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

557-0421 TUCRN PUBLIC NOTICE PUBLIC NOTICE  
OF INTENT TO ISSUE AIR PERMIT Florida Department  
of Environmental Protection Division of Air Resource  
Management, Bureau of Air Regulation Draft Air Permit  
No. PSD-FL-383B / Project No. 0170004-022-AC Progress  
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Court, was published in said newspaper in the issues of

April 21st, 2009.

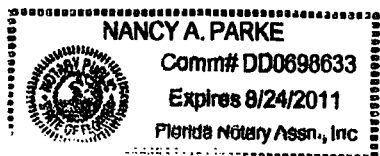
Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Ann Naczi  
The forgoing instrument was acknowledged before me

This 21st day of April 2009  
By: Mary Ann Naczi

who is personally known to me and who did take an oath.

Nancy A. Parke  
Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT  
Florida Department of Environmental Protection  
Division of Air Resource Management,  
Bureau of Air Regulation  
Draft Air Permit No. PSD-FL-383B / Project No.  
0170004-022-AC Progress Energy Florida, Inc.  
Crystal River Power Plant Citrus County, Florida

**Applicant:** The applicant for this project is Progress Energy Florida, Inc. The applicant's authorized representative and mailing address is: Mr. Larry Hatcher, Plant Manager, Progress Energy Florida, Crystal River Power Plant, 299 First Avenue, North, CN77, St. Petersburg, FL 33701.

**Facility Location:** The existing Crystal River Power Plant is located in Citrus County, north of Crystal River and west of U.S. Highway 19.

**Project:** In accordance with Permit No. PSD-FL-383A, Progress Energy Florida, Inc. is currently constructing the following air pollution control equipment for existing Units 4 and 5 at the Crystal River Power Plant: new low-NOX burners (LNB), new selective catalytic reduction (SCR) systems, new flue gas desulfurization (FGD) systems, new alkali injection systems; a new carbon burn out unit, upgraded electrostatic precipitators (ESP) and new stack configurations. The applicant requests the following primary revisions to Permit No. PSD-FL-383A for the ongoing air pollution control project: Include a temporary alternate compliance demonstration for carbon monoxide emissions for Unit 5 until the continuous emissions monitoring system is installed during the outage to tie in the new wet FGD system and stack; correct as-built equipment descriptions for the gypsum storage and handling systems; acknowledge that the limestone crushing operations will be subject to the federal New Source Performance Standards in Subpart OOO, Part 60, Title 40 of the Code of Federal Regulations; and clarify the timeframes for compliance monitoring following completion of construction, startup and shutdown of the air pollution control systems. This project is a minor revision of the original permit, which was subject to Rule 62212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blat Stone Road, MS #5506, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #36, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above; at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available for this proceeding.

Published one (1) time in the Citrus County Chronicle, April 21, 2009.